

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

KYLIE STEELE,

Plaintiffs,

v.

NATIONAL RAILROAD PASSENGER  
CORPORATION, a/k/a AMTRAK, a  
District of Columbia corporation; and,  
DOES ONE THROUGH FIFTY,

Defendants.

Case No. 3:19-cv-05553-BHS

**PLAINTIFF'S RESPONSE TO  
DEFENDANT'S MOTION FOR STAY  
OF EXECUTION**

Ms. Steele does not object to the posting of a bond pending appeal of this matter, though she is aware of no legal justification for appeal and is unpersuaded by the distorted view of the evidence outlined in Amtrak's post-trial briefing.

Given such an unsupported basis for appeal, and the inordinate delay an appeal will engender, Ms. Steele believes that a bond of 1.5 to 2 times the judgment amount is more appropriate than the bond of 1.25 times suggested by Amtrak. *See, e.g., American Ass'n of Naturopathic Physicians v. Hayhurst*, 227 F.3d 1104, 1109 (9<sup>th</sup> Cir. 2004) (holding no error in applying a multiple of 2.5x to a judgment, though admittedly substantially smaller than this

1 one). Thus, Ms. Steele requests that the Court order a bond to be posted in the amount of  
2 \$12,031,250, representing 1.75 times the judgment amount prior to imposition of costs, during  
3 such time as an appeal proceeds in this matter.

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5 Dated January 3, 2022

**ROSSI VUCINOVICH PC**

6 By: /s James K. Vucinovich  
7 James K. Vucinovich, WSBA #29199  
8 C. N. Coby Cohen, WSBA #30034  
9 **ATTORNEYS FOR PLAINTIFF**  
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